

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Sandra L. Adams,)	Civil Action No.: 4:14-cv-3947-RBH-KDW
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Conway Chrysler Dodge Jeep, Inc.)	
and George Gianakouros,)	
)	
Defendants.)	
)	

Plaintiff Sandra L. Adams filed this action in the Court of Common Pleas for Horry County against Defendants Conway Chrysler Dodge Jeep, Inc. and George Gianakouros on July 25, 2014. *See* Compl., ECF No. 1-1. On October 10, 2014, Defendants removed the action to this Court, *see* ECF No. 1, and filed a partial motion to dismiss, *see* ECF No. 5. Plaintiff subsequently filed a motion to remand on November 3, 2014. *See* ECF No. 10. Plaintiff also filed a response in opposition to Defendants' partial motion to dismiss, but primarily reiterated her arguments in support of remand rather than addressing the merits of Defendants' motion. *See generally* ECF no. 11. Defendants then filed a response in opposition to the motion to remand and a reply in support of their motion to dismiss on November 17, 2014.¹ *See* Def.'s Resp., ECF No. 12; Def.'s Reply, ECF No. 13.

¹ As the Magistrate Judge noted in her March 26, 2015 Text Order, while Plaintiff submitted what purported to be a response to Defendants' motion to dismiss, she largely reiterated her arguments in support of remand in that filing. *See* Text Order, ECF No. 17. Plaintiff did not respond substantively to Defendants arguments. *See id.* Accordingly, the Magistrate Judge only addressed Plaintiff's motion to remand in her Report and Recommendation, and gave Plaintiff until May 4, 2015 to submit a substantive response, warning that failure to do so could result in Defendants' motion to dismiss being granted. *See id.*

The matter is now before the Court for review of the Report and Recommendation (“R & R”) of United States Magistrate Judge Kaymani D. West, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina. *See* R & R, ECF No. 16. In the Report and Recommendation, the Magistrate Judge recommends that the Court deny Plaintiff’s motion to remand. *See id.* 5.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

No party has filed objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendations. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is **ORDERED** that Plaintiff’s motion to remand is **DENIED**.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

Florence, South Carolina
April 14, 2015